

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 319

## BY APPROPRIATIONS COMMITTEE

## AN ACT

APPROPRIATING MONEYS FOR THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE DIVISION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT FOR EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR FISCAL YEAR 2009; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and Welfare for the Child Welfare Division the following amounts to be expended for the designated programs according to the designated expense classes from the listed funds for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. CHILD WELFARE:				
FROM:				
Cooperative Welfare (General) Fund	\$9,983,500	\$1,867,500		\$11,851,000
Cooperative Welfare (Dedicated) Fund	71,000	20,000		91,000
Cooperative Welfare (Federal) Fund	<u>12,476,000</u>	<u>6,084,200</u>		<u>18,560,200</u>
TOTAL	\$22,530,500	\$7,971,700		\$30,502,200
II. FOSTER & ASSISTANCE PAYMENTS:				
FROM:				
Cooperative Welfare (General) Fund			\$11,584,400	\$11,584,400

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	
			PAYMENTS	TOTAL
Cooperative Welfare (Dedicated)				
Fund			1,251,100	1,251,100
Cooperative Welfare (Federal) Fund			<u>13,476,400</u>	<u>13,476,400</u>
TOTAL			\$26,311,900	\$26,311,900
GRAND TOTAL	\$22,530,500	\$7,971,700	\$26,311,900	\$56,814,100

SECTION 2. In accordance with Section 67-3519, Idaho Code, the Department of Health and Welfare is authorized no more than three hundred ninety-two and sixty-seven hundredths (392.67) full-time equivalent positions for the Child Welfare Program during the period July 1, 2009, through June 30, 2010. Transfers of full-time equivalent positions between appropriated programs within the department are authorized and shall be reported in the budget prepared for the next fiscal year. Any full-time equivalent positions in excess of the department's total cap may be authorized only by the Governor and promptly reported to the Joint Finance-Appropriations Committee.

SECTION 3. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES. Recognizing that employee development is an essential part of a workforce but that budget shortfalls require a reprioritization of expenditures towards core functions first and development and training second. The Department of Health and Welfare is hereby directed not to pay any education stipends, regardless of funding source, for employees during fiscal year 2010 due to budgetary shortfalls and a reprioritization towards core expenditures.

SECTION 4. TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES. Notwithstanding the provisions of Section 67-3511, Idaho Code, that state "No appropriation made for expenses other than personnel costs shall be expended for personnel costs of the particular department, office or institution for which it is appropriated,...." For fiscal year 2010, the Department of Health and Welfare may transfer funds appropriated for operating expenditures to personnel costs with the consent of the State Board of Examiners that currently designate the responsibility to the Division of Financial Management.

SECTION 5. GENERAL FUND TRANSFER. As appropriated, the State Controller shall make transfers from the General Fund to the Cooperative Welfare Fund, periodically, as requested by the Director of the Department of Health and Welfare and approved by the Board of Examiners.

SECTION 6. TRUSTEE AND BENEFIT PAYMENT LEGISLATIVE INTENT. Notwithstanding the provisions of Section 67-3511, Idaho Code, funds budgeted in the trustee and benefit payments expenditure object code shall not be transferred to any other objects within the program budget during fiscal year 2010.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the extent possible, our capable, quality employees who support the essential services and statutorily authorized programs that the citizens of Idaho expect. The Legislature finds these critical essential services to be those that maintain the health and safety of our citizens and the education of our children. While extending flexibility to the Governor and agency directors to manage the state workforce to the best of their ability during these difficult times, it remains the responsibility of the Legislature to identify priorities for the state workforce. The Legislature finds that reductions in personnel funding shall first be managed through salary reductions that impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly, by using savings created by keeping newly vacated positions unfilled; fourth, by the use of furloughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature that these policies shall be adhered to by the executive, legislative, and judicial branches to the extent allowed by law.

SECTION 8. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force; and inasmuch as the state as a single employer of multiple departments and agencies is required by law to direct across the board salary adjustments; agencies and institutions shall reduce all salaries of classified and nonclassified employees, regardless of fund source, by three percent (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall use personnel cost savings, furloughs, and a reduction in force to manage the remaining two percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay schedules for the classified personnel system downward to the extent that all beginning minimum salaries are three percent (3%) less than those in effect upon the date of passage of this law.

SECTION 9. In addition to the appropriation made in Section 3, Chapter 357, Laws of 2008, there is hereby appropriated to the Department of Health and Welfare for the Foster and Assistance Payments Program the following amount to be expended according to the designated expense class from the listed fund for the period July 1, 2008, through June 30, 2009:

FOR:

Trustee and Benefit Payments	\$335,000
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FROM:

Cooperative Welfare (Federal) Fund	\$335,000
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SECTION 10. Notwithstanding any other provision of law to the contrary, the appropriation made in Section 3, Chapter 357, Laws of 2008, is hereby reduced to the Department of Health and Welfare for the Foster and Assistance Payments Program by the following amount to be expended according to the designated expense class from the listed fund for the period July 1, 2008, through June 30, 2009:

FOR:

Trustee and Benefit Payments	\$335,000
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1 FROM:  
2 General Fund \$335,000

3 SECTION 11. An emergency existing therefor, which emergency is hereby declared to  
4 exist, Sections 8, 9, and 10 of this act shall be in full force and effect on and after passage and  
5 approval.